

Total Maximum Daily Load (TMDL) Program

Fact Sheet

FINAL REPORT OF THE FEDERAL ADVISORY COMMITTEE ON THE TOTAL MAXIMUM DAILY LOAD (TMDL) PROGRAM

July 28, 1998

Summary of Action

This report contains the recommendations of the Federal Advisory Committee on the Total Maximum Daily Load (TMDL) program for improving this key Clean Water Act program.

Background on the TMDL Program

The TMDL program, established under Section 303(d) of the Clean Water Act, focuses on identifying and restoring the Nation's polluted waterbodies. Under this provision, States are required to (1) identify and list waterbodies where State water quality standards are not being met following the application of technology-based point source pollution controls; and (2) establish TMDLs for these waters.

The goal of a TMDL is the attainment of water quality standards. A TMDL is a written, quantitative assessment of water quality problems and contributing pollutant sources. It specifies the amount a pollutant needs to be reduced to meet water quality standards, allocates pollutant load reductions among pollutant sources in a watershed, and provides the basis for taking actions needed to restore a waterbody. It can identify the need for point source and nonpoint source controls.

EPA must review and approve (or disapprove) State lists and TMDLs. If State actions are not adequate, EPA must prepare lists and TMDLs.

The TMDL Federal Advisory Committee: Members and Process

Convened by EPA in 1996, the TMDL Federal Advisory Committee was comprised of 20 members with diverse geographic, policy, and professional perspectives, including State and local governments, Tribal organizations, environmental groups, industry, agriculture, forestry, and academia. In addition, three Federal agency officials, from EPA and from the Department of Agriculture's Natural Resources Conservation Service and U.S. Forest Service, served as non-voting members.

Throughout its 18 months of deliberations, the Committee emphasized public input. The Committee held six meetings at locations throughout the country that were open to the public and included public comment sessions. In addition, the Committee made drafts of its report publicly available on the Internet.

The Committee's Recommendations: Scope and Key Principles

The Committee exhibited a strong commitment to consensus building. As a result, the Committee's final report was signed by every member and represents a comprehensive set of recommendations generally endorsed by the Committee.

The report contains over 170 separate recommendations and represents broad agreement on many important programmatic and policy issues considered by the Committee. The Committee's recommendations, in some areas, suggest new policy directions for EPA, while other recommendations endorse approaches that are consistent with current EPA practice. Not all members agreed with every recommendation, and three minority reports were filed.

The Committee focused its deliberations on four broad issue areas:

1. identification and listing of waters;
2. development and approval of TMDLs;
3. EPA management and oversight; and
4. science and tools.

The Committee's recommendations are based on the following broad areas of agreement:

- Restoring impaired waters must be a high priority for all responsible agencies and sources.
- Implementing TMDLs is the key to program success.
- Communication with the public is crucial.
- Stakeholder involvement in the TMDL program is a key to successful implementation.
- Governments' capacity to carry out the TMDL program needs to be strengthened significantly.
- In cases of uncertainty, an iterative approach to TMDL development and implementation will assure progress towards water quality standards attainment.

EPA is in the process of developing proposed revisions to the TMDL program regulations and guidance for public review and comment. As part of that process, the Agency will carefully review and consider the Committee's consensus recommendations.

For a detailed summary of the Committee's major recommendations, see the report's Executive Summary, pages i-iv. A copy of the report is available on the Internet at:
<http://www.epa.gov/OWOW/tmdl/advisory.html>.